

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

Pursuant to 28 U.S.C. § 636, the Court has reviewed the Petition, all the records and files herein, and the Report and Recommendation of the United States Magistrate Judge. No objections to the Report and Recommendation have been filed herein. The Court concurs with and accepts the findings, conclusions and recommendations of the Magistrate Judge.

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1 IT THEREFORE IS ORDERED that respondents' Motion to Dismiss is granted
2 in part and denied in part as follows: Grounds One and Two of the Petition are
3 dismissed without leave to amend and Ground Three is dismissed with leave to
4 amend. Petitioner is ordered, if he still desires to pursue his procedural due process
5 claim, to file a First Amended Petition within 30 days of the date of this Order. The
6 Clerk is directed to send petitioner a blank Central District habeas petition form for
7 this purpose.

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9 Dated: April 4, 2016

10 _____/s/
11 FERNANDO M. OLGUIN
12 UNITED STATES DISTRICT JUDGE
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